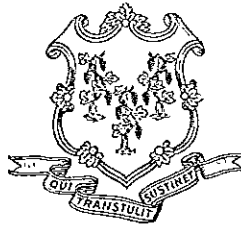


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March 20, 2015

Good Morning Sen. Coleman, Representative Tong, and members of the Judiciary Committee. I am here to testify in support of SB 1065, **AN ACT CONCERNING THE RECORDING OF POLICE ACTIVITY BY THE PUBLIC.**

This legislation would allow a person to bring a cause of action against a peace officer who interferes with the person taking a photographic or digital still or video image of the peace officer or another peace officer acting in the performance of his or her duties provided that the individual was not otherwise interfering with the officer in the performance of duty. There have been numerous incidents throughout the nation in which citizens have been harassed, threatened and arrested for recording what would seem to be public action by police officers. In some of these states, due to laws that are behind current technology, this action is in fact against the law. However, in the last year two Federal appellate courts<sup>1</sup> have reaffirmed citizens' rights to record police officers and the U.S. Supreme court has declined to accept either of these cases, thus intentionally allowing these decisions (which affirm the right to record) to stand<sup>2</sup>. In the 111th Congress, Congressman Townes submitted a resolution expressing that state and federal wiretapping laws were never intended to be used against citizens in this manner<sup>3</sup>.

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<sup>1</sup> [http://en.wikipedia.org/wiki/Glik\\_v.\\_Cunniffe](http://en.wikipedia.org/wiki/Glik_v._Cunniffe)  
[http://aclum.org/sites/all/files/legal/glik\\_v\\_cunniffe/appeals\\_court\\_ruling.pdf](http://aclum.org/sites/all/files/legal/glik_v_cunniffe/appeals_court_ruling.pdf)

<sup>2</sup> Alvarez v. Connell et al, U.S. Supreme Court, No. 12-318

<sup>3</sup> H. Con. Res. 298

A police officer should not have an expectation of privacy in his or her public duties. In Connecticut, citizens have a right to record police officers in these settings. However, there have been recent incidents in which officers harassed and threatened citizens who were attempting to exercise this right. I believe that creating a possible cause of action against officers who attempt to intimidate citizens in this manner would serve as a deterrent to this behavior. Officers who are following appropriate law and procedure should not object to this recording so long as the recording does not interfere with the officer's ability to perform his or her legitimate duties. Thank you for hearing this important legislation.